

1 THE HONORABLE RONALD B. LEIGHTON

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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON

9 ADVOCARE INTERNATIONAL, L.P., a
10 Texas limited partnership,

11 Plaintiff,

12 v.

Case No. C08-5332 RBL

13 ORDER REGARDING MOTION TO
14 COMPEL DOCUMENTS FROM
15 ROBERT O. SAILER

16 RE- NOTED ON MOTION
17 CALENDAR:
18 SEPTEMBER 4, 2009

19 RICHARD PAUL SCHECKENBACH,
20 individually and as part of the marital
21 community; CAROL GILLETTE,
22 individually and as part of the marital
23 community; ILCERVELLO PROPERTIES,
24 LLC, a Washington limited liability company;
25 and RAVENSKY, LLC, a Washington limited
26 liability company; TAI BROWN, individually
and as part of the marital community; KELLI
BOTTOLFSO-BROWN, individually and as
part of the marital community; HERBASIA
CORPORATION, a Washington corporation;
ASCENTIAL BIOSCIENCE, LLC, a
Washington limited liability company;
R-SQUARED NUTRITION, INC., a
Washington corporation; and
BREAKTHROUGH NUTRITION, LLC, an
Oregon limited liability company,

Defendants.

24 On this date the Court considered Plaintiff's Motion for an Order compelling production
25 of documents withheld by Robert O. Sailer as attorney-client privileged or work product.
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1 After considering the evidence and authorities submitted by both parties, the Court finds that
2 reasonable cause suggests that Defendants consulted with Sailer in furtherance of fraudulent
3 transfer activities, thereby justifying the Court's *in camera* inspection of the documents
4 identified by Plaintiff. The Court further finds good cause to believe that the work-product
5 doctrine did not attach to any of the documents listed in the Privilege Log as protected solely
6 by the work product doctrine.
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8 IT IS THEREFORE ORDERED, that not later than five business days from the date
9 of this Order Robert O. Sailer shall produce to the Court, under seal and for *in camera*
10 inspection those documents listed on pages 16-22 of the Kugler Declaration (Docket No.
11 161) which are marked with an asterisk.

12 SO ORDERED.

13 22nd September, 2009
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16 UNITED STATES DISTRICT JUDGE
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